

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CONSOLIDATED 3:10CV462-MOC-DSC

THE CATO CORPORATION, )  
)  
Plaintiff, )

v. )

\_\_\_\_\_ )

L.A. PRINTEX INDUSTRIES, INC., )  
)  
Defendant. )

\_\_\_\_\_ )

L.A. PRINTEX INDUSTRIES, INC., )  
)  
Plaintiff, )

v. )

THE CATO CORPORATION, a )  
Delaware Corporation, )  
VOLUMECCOMO APPAREL, INC., )  
a California Corporation, LI & FUNG )  
LTD., a Hong Kong Limited Company, )  
LF USA, INC., a New York Corporation, )  
and DOES 3 through 10, )  
)  
Defendants. )

\_\_\_\_\_ )

MEMORANDUM AND  
ORDER

THIS MATTER is before the Court on Plaintiff’s “Motion to Compel,” Doc. 42, filed March 7, 2012, and the parties’ associated briefs and exhibits. See Docs. 43, 51, 52 and 58.

This Motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636(b)(1), and is now ripe for the Court’s consideration.

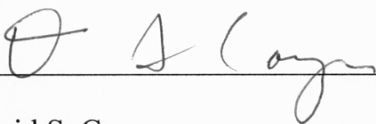
The Court has carefully examined the record, the parties’ arguments and the applicable authorities. For the reasons cited in Plaintiff’s briefs, Plaintiff’s Motion is granted.

NOW THEREFORE, IT IS ORDERED:

1. Plaintiff's "Motion to Compel," Doc. 42, is **GRANTED**.
2. L.A. Printex is precluded from relying on the Supplementary Application or any related documents, claims or theories arising therefrom.
3. L.A. Printex is to produce all documents, evidence or other things responsive to any of Plaintiff's outstanding discovery requests. With regard to this information, L.A. Printex has represented to the Court that it has provided all relevant information. The Court reminds L.A. Printex of its ongoing obligation to respond to Plaintiff's discovery requests.
4. L.A. Printex shall pay Plaintiff's reasonable costs and attorneys' fees incurred in taking the Rule 30(b) deposition of L.A. Printex on January 25, 2012 and in bringing this Motion to Compel in the amount of \$3,134.85 for costs and \$10,500.00 for attorneys' fees.
5. The Clerk is directed to send copies of this Memorandum and Order to counsel for the parties; and to the Honorable Max O. Cogburn, Jr.

**SO ORDERED.**

Signed: April 16, 2012



David S. Cayer  
United States Magistrate Judge

